

**Town of Sunset Beach  
Special Meeting Minutes  
September 11, 2013  
10:00 am**

**Members Present:** Mayor Richard Cerrato, Mayor Pro-Tem Lou DeVita, Councilman Wilson Sherrill, Councilwoman Karen Joseph, Councilman Mike Williams, and Councilwoman Carol Scott.

**Members absent:** None

**Attorney & Staff Present:** Gary Parker, Town Attorney; Attorney Mike Isenberg; Dustin Graham, Public Works Director; Donna Rogers, Finance Director and Lisa Anglin, Town Clerk.

Mayor Cerrato called the Special Meeting to order and advised that the purpose of this Special Meeting is to meet with NC DOT Representatives concerning the roundabout, consider the proposed Jaguars Lair Subdivision Improvements Agreement and to go into Closed Session to review the resumes and consider the qualifications and fitness of the applicants for the Town Administrator position. Mayor Cerrato requested that a discussion of the September 18, 2013 Community Meeting be added to the agenda. The Council agreed.

Mayor Cerrato stated “Does any member of the Council have a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda, and if so, please state so at this time?” No one spoke.

**NCDOT**

Chad Kimes, Scott Cook and George Eckert, NCDOT Representatives, reviewed and discussed the roundabout plans with the Council. Kimes advised that the plans are 25% complete. Kimes advised that the proposed roundabout is 150’ diameter and includes a grass area in the middle with a 10’ concrete board between the roadway and the grass area. Kimes advised that the project funding is derived from \$190,000 Safety Grant, \$250,000 from Transportation Board Member Mike Alford and the Town maximum of \$250,000. Kimes stated that the Town will get a refund if the project is completed under budget. The Council requested that lighting (street light or up lighting) in the center of the roundabout be incorporated into the project design. Kimes advised that the majority of the current bridge landscaping at the intersection would be disturbed during construction and Council requested a landscaping plan for the bridge and the center of the roundabout be incorporated, including funding, into the roundabout project.

**Public Comments**

Joe Santavicca 9109 Forest Drive – Questioned the need for the roundabout citing few accidents have occurred and questioned the expenditure of Town funds.

Ron Watts 421 Shoreline Drive West – Questioned how the roundabout will affect the proposed bike trail on Sunset Blvd.

Len Steiner 613 Kings Trail – Questioned the need for the roundabout.

### **Jaguars Lair**

The Council reviewed and discussed the Jaguars Lair Subdivision Improvements Agreement for Sections 2A, 2B and 2C as proposed by the Negotiating Team and Coastal Communities. Mayor Cerrato requested the Council to consider releasing the Jaguars Lair Subdivision to Brunswick County. After a brief discussion of the details of the agreement, the Council determined that a Closed Session was needed to receive legal advice from Attorney Isenberg.

COUNCILMAN WILLIAMS MADE A MOTION TO ADD TO THE EXISTING CLOSED SESSION ON THIS AGENDA TO RECEIVE LEGAL ADVICE REGARDING THE PROPOSED AGREEMENT WITH COASTAL COMMUNITIES PURSUANT TO NCGS 143-318.11 (a) (3). COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **September 18, 2013 Community Meeting**

The Council discussed the purpose of the Community Meeting, the recommendation from the State Board of Elections Office concerning the political perception of the meeting and received legal advice from Attorney Isenberg.

COUNCILWOMAN JOSEPH MADE A MOTION TO CANCEL THE SEPTEMBER 18, 2013 COMMUNITY MEETING AND INSTRUCTED STAFF TO HAVE DISCUSSIONS WITH SEA TRAIL CONCERNING HOLDING THE JANUARY 15, 2013 COMMUNITY MEETING AT SEA TRAIL. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **Public Comments**

Monte Simpson 490 Dunieth Street Calabash – Requested Council to consider allowing Brunswick County to assume the control and responsibility of the Jaguars Lair subdivision

Jaguars Lair Property Owner – Requested Council consider adding clause to Jaguars Lair Agreement that would allow transfer of the property to Brunswick County.

### **Closed Session**

MAYOR PRO-TEM DEVITA MADE A MOTION TO GO INTO CLOSED SESSION TO CONSULT WITH THE TOWN ATTORNEY IN ORDER TO RECEIVE LEGAL ADVICE REGARDING THE PROPOSED AGREEMENT WITH COASTAL COMMUNITIES PURSUANT TO NCGS 143-318.11 (a) (3) AND TO REVIEW THE RESUMES AND CONSIDER THE QUALIFICATIONS AND FITNESS OF THE APPLICANTS FOR THE TOWN ADMINISTRATOR POSITION PURSUANT TO NCGS 143-318.11 (a) (6). COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Closed Session (Cont.)**

MAYOR PRO-TEM DEVITA MADE A MOTION TO RETURN TO OPEN SESSION. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILMAN WILLIAMS MADE A MOTION TO RECONVENE THE SEPTEMBER 11, 2013 SPECIAL MEETING. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 3 hours. The Council asked questions and received advice from the Town Attorney regarding the Jaguars Lair Agreement as proposed and gave instruction to the Town Attorney and Negotiating Team concerning Jaguars Lair, recessed for lunch and then reconvened the Closed Session to discuss the Town Administrator resumes.

COUNCILMAN SHERRILL MADE A MOTION TO ADJOURN THE SEPTEMBER 11, 2013 SPECIAL MEETING. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town of Sunset Beach**

*Richard Cerrato, Mayor*

Submitted by:

*Lisa Anglin, Town Clerk*

\*The September 11, 2013 Special Meeting Minutes were approved by Council during the November 4, 2013 Regular meeting.